

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Case No. 8:05CR366
)	
Plaintiff,)	
)	
v.)	ORDER
)	
DONALD L. PFLASTER,)	
)	
Defendant.)	

IT IS ORDERED that defendant's unopposed Motion to Continue Hearing, Filing No. 12, is granted, with the understanding that defendant's affidavit waiving Speedy Trial will be signed and filed as soon as practical. The change of plea hearing for the defendant is rescheduled before the undersigned in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on **March 20, 2006, at 1:00 p.m.** Since this is a criminal case, the defendant shall be present, unless excused by the court. If an interpreter is required, one must be requested by the plaintiff in writing five (5) days in advance of the scheduled hearing.

The ends of justice will be served by granting the defendant's request for a continuance, and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising from the date of plea hearing to the newly scheduled change of plea hearing, namely, **February 7, 2006, through March 20, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, for the reason that defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case, and the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 10th day of February, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge